

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:19-CR-180(1)
	:	
Plaintiff,	:	District Judge Walter H. Rice
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
EMMANUEL AVILA,	:	
	:	
Defendant.	:	
	:	

DECISION AND ENTRY

This matter came before the Court for hearing on July 28, 2020 before United States Magistrate Judge Sharon L. Ovington, who thereafter issued a Report and Recommendations. (Doc. No. 30). Having conducted a full colloquy with Defendant, the Magistrate Judge concluded that his plea of guilty is knowing, intelligent, and voluntary, and that there is an adequate factual basis for a finding him guilty as charged in Count Two of the Indictment currently pending against him, which charges him with Possession with Intent to Distribute 400 grams or more of Fentanyl in violation of Title 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A).

The Court, noting that no objections to the Report and Recommendations have been filed and that the time for filing objections has expired, hereby ADOPTS in full said Report and Recommendations.

Therefore, based on the aforesaid, and this Court's *de novo* review of the record and the findings by the United States Magistrate Judge, this Court adopts the findings and

recommendations of the United State Magistrate Judge, and finds that Defendant's guilty plea was knowing, voluntary, and intelligent. Final acceptance of Defendant's guilty plea is deferred pending review of the pre-sentence investigation report.

11-6-2020



Walter H. Rice
United States District Judge